

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA  
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u><b>November 09, 2016</b></u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u><b>2016-342-E</b></u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u><b>2016-783</b></u>

**THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.**

**SUBJECT:**

DOCKET NO. 2016-342-E - Andrea Graham, Complainant/Petitioner v. Duke Energy Progress, LLC, Defendant/Respondent - Staff Presents for Commission Consideration Duke Energy Progress, LLC's Motion to Dismiss, along with a Request for Confidential Treatment of Certain Portions of the Motion.

**COMMISSION ACTION:**

Duke Energy Progress, LLC has filed a motion to dismiss the complaint of Andrea Graham, based on assertions that the complaint fails to state a claim upon which relief can be granted. Duke also requests that the unredacted confidential version of its Motion be treated and maintained as confidential due to the nature of the customer information it contains. Ms. Graham filed a complaint asking that the deferred payment plan offered by Duke Energy Progress on her account be modified for affordability. Duke's Motion describes the Company's history with Ms. Graham, but Ms. Graham has not previously cooperated with the Company in various attempts to set up payment plans. In fact, Ms. Graham has failed to make any payments on her electricity bills at all since February 2016. The Company has actually tried previously to make Ms. Graham's payment plan more affordable for her, but to no avail. Also, there is no allegation that the Company has violated any applicable statute or regulation in its charges or the prior termination of Ms. Graham's account. For these reasons, I move that the Motion to Dismiss be granted, since it fails to state a claim upon which relief can be granted. I also move that the unredacted confidential version of Duke's Motion be treated and maintained as confidential, since Duke states that it contains confidential customer information, including account number and electricity usage personal to Ms. Graham.

PRESIDING:  
Whitfield

SESSION: Regular

TIME: 2:00 p.m.

	MOTION	YES	NO	OTHER	
ELAM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
FLEMING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Annual Leave
HALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
RANDALL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>Absent</u>	Annual Leave
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

(SEAL)

RECORDED BY: J. Schmieding

